What about the women?

Angela Clay 1500 words

The fact that women in custody have very different needs from men is increasingly recognised but in a system currently focused on the high costs of overcrowding in the male estate, female offenders continue to take a back seat. On 11th July 2008 the prison population reached a total of 83,575 and 4,477 of these were women. Over half of all women prisoners are mothers of children under 16 and the primary carer for not only their children but often elderly relatives as well. For this reason alone it would seem desirable to locate them as close as possible to home, with the objective of maintaining family ties where appropriate. Not an easy task because England has just 14 female prisons, none in Wales and since Cookham Wood was re-ruled to male juvenile in April of this year, no female closed jail in the South East. The decision to re-role Cookham Wood was prompted by overcrowding in the male estate and the sharp increase in the number of young male prisoners who also needed to be located near their homes. Cookham Wood had been a female prison for 30 years and dedicated staff had built up a highly effective regime in caring for women and juveniles with very complex needs. Latterly clustered with women’s open prison East Sutton Park, the CWESP partnership was a good example of how prison could work for those women who really needed to be there for Public Protection.

Just paying lip service

“There are far too many women in prison who should not be there,” Lord Phillips, the Lord Chief Justice of England and Wales has said and his words were echoed by Baroness Corston in her review into vulnerable women in the criminal justice system which was commissioned by the Home Office last year. The report said that ‘too many vulnerable women were in prison, often on remand, for short term sentences or for breach of release conditions and their needs were not being served by prisons designed for men.’ The Baroness advocated the replacement of existing women’s prisons by small custodial centres for the relatively few violent offenders who needed incarceration. Was it just paying lip service when the Government accepted 40 out of the 43 recommendations in the review? According to the director of Women in Prison, Suzanne Sibillin, the momentum to improve services created by the report has been lost. She reported that ‘the government was neither providing enough resources nor sufficient incentives for agencies to slash the use of custody, reshape custodial settings and improve support in the community for female offenders.’

National Service Framework

On 30th May this year the Ministry of Justice published a National Service Framework on Improving services for Women Offenders which set out just how the Government would make the changes. The paper is directed at those working directly with female offenders and talked about how the MoJ would reduce the numbers of women in custody, reduce self harm and re-offending and ensure that custodial settings were entirely appropriate to women’s needs. Suzanne Sibillin said, “I don’t see that this is going to effect any changes in the services that women are receiving.” She qualified her remarks by pointing out that “without ring fenced funding and performance
indicators, regional managers will not commission services specifically for women, with overcrowding in the male prison estate taking priority.”

National Service Framework can be downloaded from www.noms.homeoffice.gov.uk, click on ‘news’.

Worldwide concern

The issues surrounding women in prison are not confined to the UK, they are of worldwide concern. On the 24th June an International Profile of Women’s Prisons was published by the International Institute for Prison Studies at King’s College. The lead researcher was Helen Fair who told me that it was an extremely interesting piece of work carried out in a very short time. The report was jointly commissioned by the Ministry of Justice and the Department of Health and according to Helen, they both expected it to be much slimmer than the final 144 page document!

You can read the full report on www.hmprisonservice.gov.uk/news or extracts below:

International Profile of Women’s Prisons – 24 Jun 08

The review was commissioned to inform the future design of women’s prisons and support the development of policy on the provision of healthcare in women's prisons. The findings have also been used to support considerations of the Working Group set up to consider Jean Corston’s recommendation - in her independent review of women with particular vulnerabilities in the Criminal Justice System - on the provision of small, multi-functional custodial units for women.

Key findings from the report include:

Significant variations in the proportion of women to men imprisoned in different jurisdictions, from 3.7 per cent (France) to 9.1 per cent (United States).

Women in the different jurisdictions are imprisoned for similar crimes. Offences connected with illicit drugs are a major cause of women's imprisonment.

Countries have adopted different approaches to the question of how to provide for a small minority in a system designed for the majority male population.

In Denmark, where men and women prisoners live together, the basic approach is to approximate outside life as closely as possible.

How to deal with women prisoners' young children is resolved in different ways. Those countries that allow children to stay with their mothers (all the countries surveyed but only in one of the three US States) have very different ages at which it is felt desirable to take the child away.

Crimes

There are also similarities in the crimes for which women have been imprisoned. Offences connected with illicit drugs are a major cause of women's imprisonment. Countries where the numbers imprisoned are very low such as Finland have a higher number of prisoners convicted of very serious crimes of violence.
Needs of women in prison

There are similarities in the type of women imprisoned in each country. The information collated for this review suggests that in all countries they are a very disadvantaged group even amongst the disadvantaged and many come from backgrounds of abuse and violence, and have problems of addiction. A higher proportion of physical and mental health problems is noted amongst women prisoners.

Mothers and children

The perennial dilemma of how to deal with women prisoners’ young children is resolved in different ways. Those countries that allow children to stay with their mothers (all the countries surveyed in Phase Two but only in one of the three US States) have very different ages at which it is felt desirable to take the child away (six years in one state in Germany, three in Spain, four in one prison in Western Australia, 12 months in Sweden).

There are also different ideas about how the imprisoned mother should be treated, varying from the arrangement that allows the child and the mother to stay together all day, to the system where the child goes to an outside nursery so that the mother can work (Germany). The most child-centred system we found is that in the prison in Frondenberg, Germany where 16 mothers live with their children up to the age of 6 in self-contained flats with balconies and the staff do not wear prison uniforms. At Hinseberg in Sweden there is a special flat where children can stay overnight with their mothers.

Regimes

Based on the countries surveyed, those that have moved to reform have moved to de-institutionalise and restore responsibility to the women. The ‘self-care’ approach where women live in small groups, budget, shop, cook, clean and live together as a small community is the outcome of wholesale reforms in Canada and Australia. In Denmark it has been part of the system for many years and one of the principles of the prison service for all prisoners.

Some practical consequences of these policy aims are:

- Different assessment and classification methods are needed for women
- Health care is a high priority and should play a central part in the provision
- Staff working with women prisoners need special training.

Lessons learnt

The Correctional Service of Canada embarked on one of the earliest attempts in recent years to introduce major reform in the way women were treated in prisons. The lessons from the Canadian reform are worthy of note. Undoubtedly it represents a huge step forward, compared with, say, the traditional and male-based approach in New Zealand. In Canada, with its huge distances, most women are held near home. In the Canadian Federal system prisoners may be released and whilst technically
remain prisoners may be placed in a variety of other non-prison environments. They have private family visits, trauma counselling by outside bodies and live in self-care housing. Yet there are still problems. The lesson seems to be that Canada changed the arrangements but did not change the culture of the staff. It is worth noting that in Denmark, where men and women prisoners live together and the basic approach is to approximate outside life as closely as possible, staff have three years training.

Many people in the UK think that the decline of family values is the key to many of our problems. By imprisoning fewer women and by investing in better support and specialist care for those in custody and also in the community, perhaps we can begin to influence all our futures.

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